

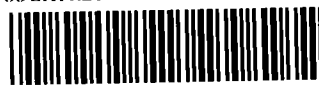


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



497180

25 JUL 2000

REPLY TO THE ATTENTION OF

C-14J

VIA FAX: 630-953-1972

Thomas J O'Donnell, Esq.
1200 E. Roosevelt Road
Suite 310
Glen Ellen, IL 60137

Re: Egan Marine Inc./Service Welding

Dear Mr. O'Donnell:

Shortly after receiving your letter dated July 3, 2000, I called your office and left a message to you indicating that additional actions and information would be needed from your client to comply with the Clean Water Act Unilateral Order dated June 29, 2000. I have not received such information, and your client was not forthcoming with such information on a recent site inspection by U.S. EPA On-Scene Coordinator Anita Boseman (OSC) and therefore I feel compelled to send this letter to you.

First, your letter dated July 3 indicates that the waste oil pile referenced in subparagraph V 3.1.a. of the Order has been removed from the site. In order for EPA to judge compliance with the Order and applicable disposal regulations, we require from your client a copy of the results obtained from the samples you reference in your letter. Please provide these results as soon as possible. Second, in her recent site visit, the OSC noted that several of the vertical above ground storage tanks referenced in subparagraph V 3.1.b. have been removed from the site. Again, please provide all relevant information concerning the disposal of these tanks, including specifically when they were disposed of and how such drums and their contents were disposed of in accordance with applicable law. Finally, the OSC documented the continued presence of several remaining above ground storage tanks subject to the Order. This letter is to notify your client that he has not complied with the Order's requirement of a Work plan for performing the removal activities pertaining to the removal of these tanks. Please provide this Work plan as soon as possible.

Your client has noted on several occasions that the EPA has been to the site and has declared it to be in compliance with applicable Spill Control and Countermeasure Plan (SPCC) requirements. That may have been the case then, but it appears it is no longer the case now. At our next meeting or communication, I will provide you with further details on EPA's finding of additional SPCC violations at the site.

It is my hope that the above problems can be resolved quickly and without the need for further enforcement activity on the part of my office. If you have any questions about the contents of this letter, please call me at 312-886-4273. It is my hope that you give this matter your prompt attention, and that

you will provide to me via fax the information requested as soon as possible.
My fax number is 312-886-0747.

Sincerely,

A handwritten signature in black ink, appearing to read "T J Martin", with a vertical line drawn through the middle of the signature.

Thomas J. Martin
Associate Regional Counsel

bcc: Henning
Boseman